

§ 165.839 Safety Zone; Large Cruise Ships; Lower Mississippi River, Southwest Pass Sea Buoy to Mile Marker 96.0, New Orleans, LA.

(a) *Location.* Within the Lower Mississippi River and Southwest Pass, moving safety zones are established around all large cruise ships transiting between the Southwest Pass Entrance Lighted Buoy “SW”, at approximate position 28°52'42" N, 89°25'54" W [NAD 83] and Lower Mississippi River mile marker 96.0 in New Orleans, Louisiana. The moving safety zone extends bank to bank, encompassing all waters one-mile ahead and one-mile astern of a large cruise ship. The zone remains in effect during the entire transit of the large cruise ship.

(b) *Definitions.* As used in this section the term “large cruise ship” is defined as a vessel over 100 feet in length, carrying more than 500 passengers for hire, making a voyage lasting more than 24 hours, any part of which is on the high seas, and for which passengers are embarked or disembarked in the United States or its territories.

(c) *Regulations.* (1) In accordance with the general regulations in 33 CFR Part 165, Subpart C, no person or vessel may enter or remain in the Safety Zone except for vessels authorized by the Captain of the Port or Designated Representatives, except as provided for in paragraph (c)(3) of this section.

(2) For this section the Pilot directing the movement of the large cruise ship under the authority of the master has the authority to allow other vessels to enter the safety zone when necessary.

(3) All vessels are prohibited from entering this safety zone unless authorized as follows:

(i) Vessels that have made suitable passing or overtaking arrangements with the pilot onboard the large cruise ship may enter into this safety zone in accordance with those agreed upon arrangements.

(ii) Moored vessels or vessels anchored in a designated anchorage area may remain in their current moored or anchored position while the large cruise ship transits the area.

(iii) Barge Fleets or vessels working a fleet may continue their current op-

erations while the large cruise ship transits the area.

(4) Vessels requiring a deviation from this rule must request permission from the Captain of the Port New Orleans. The Captain of the Port New Orleans may be contacted at (504) 365-2210.

[USCG-2010-0012, 77 FR 65818, Oct. 31, 2012]

§ 165.840 Regulated Navigation Area, Gulf of Mexico: Mississippi Canyon Block 20, South of New Orleans, LA.

(a) *Effective date.* This section is effective on April 4, 2013.

(b) *Location.* The following area is a Regulated Navigation Area: A 300-foot diameter area at the water surface centered on the following coordinates: 28°56'12.619" N, 088°58'10.303" W., and extending the entire water column from the surface to the seabed.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.13 of this part, all vessels are prohibited from anchoring, mooring or loitering in the above described area except as authorized by the Captain of the Port, New Orleans.

(2) Persons or vessels requiring deviations from this rule must request permission from the Captain of the Port New Orleans. The Captain of the Port New Orleans may be contacted by telephone at (504) 365-2200.

[USCG-2013-0064, 78 FR 24990, Apr. 29, 2013; 78 FR 34895, June 11, 2013]

NINTH COAST GUARD DISTRICT

§ 165.T09-0140 Safety Zone; USA Triathlon, Milwaukee Harbor, Milwaukee, Wisconsin.

(a) *Location.* All waters of Milwaukee Harbor, including Lakeshore inlet and Discovery World Marina, west of a line across the entrance to the Discovery World Marina connecting 43°02'15.1" N, 087°53'37.4" W and 43°01'44.2" N, 087°53'44.6" W (NAD 83).

(b) *Effective period.* This section is effective from August 1, 2013, until August 30, 2014. This safety zone will be enforced for periods in August 2013 and 2014. The Captain of the Port, Lake Michigan, will establish an enforcement schedule via a Notice of Enforcement when the exact dates are known.

The Captain of the Port, Lake Michigan, will also establish the 2014 enforcement schedule via a Notice of Enforcement.

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port, Lake Michigan or his designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port, Lake Michigan or his designated representative.

(3) The “on-scene representative” of the Captain of the Port, Lake Michigan is any Coast Guard commissioned, warrant or petty officer who has been his designated by the Captain of the Port, Lake Michigan to act on his behalf.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port, Lake Michigan or his on-scene representative to obtain permission to do so.

(5) The Captain of the Port, Lake Michigan or his on-scene representative may be contacted via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port, Lake Michigan, or his on-scene representative.

EFFECTIVE DATE NOTE: By USCG-2013-0140, 78 FR 31417, May 24, 2013, temporary §165.T09-0140 was added, effective from Aug. 1, 2013 to Aug. 30, 2014.

§ 165.T09-0189 Safety Zone; National Cherry Festival Air Show and Fireworks Display, West Grand Traverse Bay, Traverse City, MI.

(a) *National Cherry Festival Fireworks Display; Traverse City, MI*—(1) *Location.* All U.S. navigable waters and adjacent shoreline of the West Arm of Grand Traverse Bay within the arc of a circle with a 1000-foot radius from the fireworks launch site located on a barge in position 44°46'12" N, 085°37'06" W [DATUM: NAD 83].

(2) *Effective and enforcement period.* This regulation is effective and will be enforced from 10 p.m. until 11:30 p.m. on July 6, 2013.

(b) *National Cherry Festival Air Show; Traverse City, MI.* (1) *Location.* All U.S. navigable waters of the West Arm of Grand Traverse Bay bounded by a line drawn from 44°46'48" N, 085°38'18" W, then southeast to 44°46'30" N, 085°35'30" W, then southwest to 44°46'00" N, 085°35'48" W, then northwest to 44°46'30" N, 085°38'30" W, then back to the point of origin [DATUM: NAD 83].

(2) *Effective and enforcement period.* This regulation is effective and will be enforced from 12 p.m. until 3 p.m. daily from June 28 to 30, 2013.

(i) The Captain of the Port, Sault Sainte Marie may suspend enforcement of the safety zones established under this section.

(ii) The Captain of the Port, Sault Sainte Marie will notify the public of the enforcement and suspension of enforcement of the safety zones established by this section in accordance with 33 CFR 165.7(a). The primary method of notification, however, will be through Broadcast Notice to Mariners and Local Notice to Mariners.

(c) *Definitions.* The following definitions apply to this section:

(1) *Designated representative* means any Coast Guard commissioned, warrant, or petty officer designated by the Captain of the Port, Sault Sainte Marie to monitor these safety zones, permit entry into these safety zones, give legally enforceable orders to persons or vessels within these safety zones, or take other actions authorized by the Captain of the Port.

(2) *Public vessel* means a vessel owned, chartered, or operated by the United States or by a State or political subdivision thereof.

(d) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port, Sault Sainte Marie or his on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port, Sault Sainte Marie or his on-scene representative.

(3) The “on-scene representative” of the Captain of the Port, Sault Sainte Marie is any Coast Guard commissioned, warrant or petty officer who